

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Attorney Docket Number 15467US02

In re Application of:	)	
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Thangaraj	)	Electronically Filed:
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Serial No.: 10/816,724	)	
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Filing Date: 4/1/04	)	
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Examiner: Holder	)	
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Confirmation No.: 1026	)	
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Art Unit No. 2601	)	
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**PRE-APPEAL BRIEF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This amendment is filed in response to the Office Action  
mailed August 14, 2009.

**REMARKS**

Claims 1-4, 6-22, and 24-28 are presently pending and stand rejected. Pre-appeal brief review is respectfully requested.

Claims 1, 10, and 19 are rejected under 35 U.S.C. § 103(a) as being obvious from the combination of Malladi in view of Sugiyama. Claims 1, 10, and 19 recite, among other limitations, "writing a plurality of start codes to a particular one of the plurality of data words in the start code table".

Examiner has indicated that Malladi teaches, "writing a plurality of start codes to a particular data word [col. 15 lines 14-66; col. 17, lines 21-55 - writes the start code to the data it represents]". Office Action at 2.

Assignee respectfully traverses. Although Malladi teaches that "The PES header is then stored in a start code table 408", there is no teaching of "writing a plurality of start codes to a particular data word". First even if the PES header contained a plurality of start codes, which applicants do not admit, there is no teaching that the PES header is written to one data word, e.g., "a particular data word". For example, Malladi makes not statement regarding the width the data words as compared to the PES header.

Accordingly, Assignee respectfully traverses and requests that Examiner withdraw the rejection to claims 1 10, and 19, as well as to dependent claims 2-4, 6-9, 11-18, 20-22, 24-27, and newly added claim 28.

Claim 6 recites, among other limitations, "wherein the plurality of start codes comprises a slice start code and a non-slice start code." Examiner has indicated that the

foregoing are taught at Malladi, col. 10, lines 63-67 and col. 11, lines 3-9.

Assignee respectfully traverses. Although Malladi teaches "This event is noted in the bit stream by a start code for the next slice", it is noted that "the plurality of start codes" takes antecedent basis from claim 1, "a plurality of start codes". In claim 1, "a plurality of start codes" are written "to a particular one of the plurality of data words". Clearly the slice code is not written to the "particular one of the plurality of data" words if it is "in the bitstream". Moreover, there is no teaching in Malladi that the "start code for the next slice" is written in the same particular word as any non-slice code or the PES header.

The response in the Final Office Action merely states that "Malladi discloses both a start code for slice and a picture (non-slice) [col. 8, lines 15-42; col. 10, lines 63-67; col. 11 lines 3-9] The information regarding the start codes for both the picture and slices are contained within the header which are all [a part] of the bit stream which is processed and the information is written to the start code table and memory included there in the data words."

Assignee respectfully traverses. Although Malladi discloses a start code for a picture, Malladi does not even teach writing the picture start code to the start code table. Col. 8, lines 24-31, steps 116-118. Much less, this does not establish that the picture start code and the slice start code are written to the same data word. Accordingly, Assignee respectfully requests that Examiner withdraw the rejection to claim 6, 11, and 24.

Claim 7 recites, among other limitations, "writing a

command to the start code table". Examiner has indicated that "Malladi - Fig. 4; communicates with start code table writing commands; col. 15, lines 31-53; col. 17 lines 21-41 (emphasis lines 27-29)".

Assignee respectfully traverses. Although Figure 4 shows a start code table 408, it is first noted that none of the units communication with Start Code Table 408, Bus Interface Unit 410, Start Code Detection 404, or Buffer 406, which receive the bitstream as inputs, are described as writing *commands* to the start code table 408. Moreover, col. 15, lines 31-53 and col. 17, lines 21-41 do not teach any commands, including lines 27-29. Accordingly, Assignee respectfully requests that Examiner withdraw the rejection to claim 7, 17, and 25, as well as to dependent claims 8, 9, 18, 19, 26, and 27.

#### **CONCLUSION**

For at least the foregoing reasons, Assignee respectfully submits that each of the pending claims are allowable and Examiner is respectfully requested to pass this case to issuance. The Commissioner is hereby authorized to charge additional fees or credit overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: November 16, 2009

Respectfully submitted,



Mirut Dalal  
Reg. No. 44,052  
Attorney for Applicants

McAndrews, Held & Malloy, Ltd.  
500 West Madison Street  
Chicago, Illinois 60661  
Telephone: (312) 775-8000  
Facsimile: (312) 775-8100